

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOSEPH HEYWARD</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 20-530</b>
	:	
<b>HOMICIDE DET. JOHN HARKINS</b>	:	
<b>AND OFFICER JOHN TAGGART, <i>et</i></b>	:	
<b><i>al.</i></b>	:	

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of June 2021, consistent with our statutory obligation to screen amended Complaints filed by parties with leave to proceed without paying filing fee to avoid the issuance of summons for claims which we find to be frivolous or otherwise not stating a claim, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **dismiss** all claims of the second amended Complaint against City of Philadelphia, former Philadelphia District Attorney Seth Williams, former Assistant District Attorney Carlos Vega, Assistant District Attorney Barbara R. Paul, James F. Berardinelli, Esquire and the Honorable Benjamin Lerner with prejudice;

2. The Clerk of Court shall accept the Plaintiff's second amended Complaint (ECF Doc. No. 52) for filing and issue summonses only as to Lieutenant Thomas Macartney #273, Homicide Detective Lynch #796, Crime Scene Unit Sergeant Crosby #343, and Police Officer Stark #6411; and,

3. The United States Marshal for the Eastern District of Pennsylvania shall serve the summons and the second amended Complaint upon the new Defendants at no cost to the Plaintiff. Plaintiff must promptly complete and return the USM-285 forms no later than **July 7, 2021** so the Marshals can promptly serve the new Defendants. Plaintiff's failure to promptly return the USM-285 form may result in dismissal of claims against the unserved parties.

  
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**KEARNEY, J.**